

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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| METROPOLITAN LIFE INSURANCE | : | No. CV03-1882 (SDW)(MCA), and |
| COMPANY, <i>et al.</i> , | : | No. CV03-2784 (SDW)(MCA) |
| | : | |
| Plaintiffs, | : | |
| v. | : | |
| | : | |
| BANK ONE, N.A., <i>et al.</i> , | : | |
| | : | |
| Defendants. | : | |
| ----- | X | |
| ----- | X | |
| LLOYDS TSB BANK PLC, | : | NOTICE OF CROSS-MOTION |
| | : | TO CONSOLIDATE CASES |
| | : | FOR TRIAL |
| Plaintiff, | : | |
| v. | : | |
| | : | |
| BANK ONE, N.A., <i>et al.</i> , | : | |
| Defendants. | : | |
| ----- | X | |

TO: All Counsel of Record

COUNSEL:

PLEASE TAKE NOTICE that on Monday, June 4, 2012, at 10:00 a.m. or as soon thereafter as counsel may be heard, plaintiffs Metropolitan Life Insurance Company, Metropolitan Tower Life Insurance Company, successor by merger to Metropolitan Insurance and Annuity Company (collectively, “MetLife”), and Lloyds TSB Bank plc (“Lloyds”), will cross-move this Court for an order consolidating the above-captioned actions for trial pursuant to Rule 42(a) of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that in support of this cross-motion, MetLife and Lloyds will rely on their memoranda of law in opposition to the motions of Credit Suisse Securities (USA) LLC, formerly known as Credit Suisse First Boston LLC, and Credit Suisse

AG, New York Branch, formerly known as Credit Suisse First Boston, New York Branch, made in each of the above-captioned actions to transfer venue pursuant to 28 U.S.C. § 1404(a) to the Southern District of New York, and in support of this cross-motion to consolidate their cases for trial in this Court submitted concurrently herewith, the declarations of Sarah Gibbs Leivick and Brian L. Condon dated May 21, 2012 and the exhibits thereto, which are also submitted concurrently herewith, any reply papers submitted in further support of this cross-motion, and all prior papers and proceedings had herein.

A proposed order is enclosed.

Dated: May 21, 2012

Respectfully submitted,

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